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**RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1984 U.S. App. LEXIS 14873, 221 U.S.P.Q. (BNA) 385 (Fed. Cir. 1984)**

***SHEPARD'S Signal: Caution: Possible negative treatment***

Restrictions: *Unrestricted*

FOCUS(TM) Terms: *No FOCUS terms*

Print Format: *FULL*

Citing Ref. Signal Legend:

- {Warning} -- negative treatment indicated
- {Questioned} -- validity questioned by citing refs.
- {Caution} -- possible negative treatment
- {Positive} -- positive treatment indicated
- {Analysis} -- cited and neutral analysis indicated
- {Cited} -- citation information available

**SHEPARD'S SUMMARY**

**Unrestricted *Shepard's Summary***

Subsequent appellate history contains possible negative analysis.

**Citing References:**

- Positive Analyses: Followed (3)
- Other Sources: Law Reviews (22), Statutes (3), Treatises (20)

**LexisNexis Headnotes:** HN2 (16), HN3 (2), HN4 (14), HN5 (22), HN6 (46)

**PRIOR HISTORY ( 1 citing reference )**

1. *In re Cole Patent Litigation*, 558 F. Supp. 937, 1983 U.S. Dist. LEXIS 20301, 217 U.S.P.Q. (BNA) 421 (D. Del. 1983){Warning}

*Affirmed in part and reversed in part by (CITATION YOU ENTERED):*

*RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1984 U.S. App. LEXIS 14873, 221 U.S.P.Q. (BNA) 385 (Fed. Cir. 1984){Caution}

**SUBSEQUENT APPELLATE HISTORY ( 2 citing references )**

2. **Writ of certiorari dismissed:**  
*Hazeltine Corp. v. RCA Corp.*, 468 U.S. 1228, 82 L. Ed. 2d 923, 105 S. Ct. 32, 1984 U.S. LEXIS 2882, 53 U.S.L.W. 3160 (1984){Analysis}
3. **On remand at:**  
*In re Cole Patent Litigation*, 606 F. Supp. 45, 1984 U.S. Dist. LEXIS 14691, 225 U.S.P.Q. (BNA) 556 (D. Del. 1984){Positive}

**CITING DECISIONS ( 87 citing decisions )**

**1ST CIRCUIT - U.S. DISTRICT COURTS**

4. **Cited by:**  
*Omniglow Corp. v. Unique Indus., Inc.*, 184 F. Supp. 2d 105, 2002 U.S. Dist. LEXIS 2334 (D. Mass. 2002)

**LexisNexis Headnotes HN2, HN5, HN6{Analysis}**  
184 F. Supp. 2d 105 *p.115*  
184 F. Supp. 2d 105 *p.116*

## 2ND CIRCUIT - U.S. DISTRICT COURTS

5. **Cited by:**  
*Hunter Douglas, Inc. v. Comfortex Corp.*, 1998 U.S. Dist. LEXIS 22162, 49 U.S.P.Q.2d (BNA) 1785 (N.D.N.Y Dec. 4, 1998) LexisNexis Headnotes HN2, HN5{Caution}  
1998 U.S. Dist. LEXIS 22162  
49 U.S.P.Q.2d (BNA) 1785 *p.1787*
6. **Cited by:**  
*DePaul v. Toshiba Corp.*, 1995 U.S. Dist. LEXIS 11688 (S.D.N.Y. Aug. 14, 1995) LexisNexis Headnotes HN4, HN5{Cited}
7. **Cited by:**  
*Al-Site Corp. v. Opti-Ray Inc.*, 841 F. Supp. 1318, 1993 U.S. Dist. LEXIS 19875, 28 U.S.P.Q.2d (BNA) 1915 (E.D.N.Y. 1993) LexisNexis Headnotes HN6{Warning}  
841 F. Supp. 1318 *p.1324*
8. **Cited by:**  
*Symbol Technologies, Inc. v. Opticon, Inc.*, 1990 U.S. Dist. LEXIS 5186, 17 U.S.P.Q.2d (BNA) 1737 (S.D.N.Y. May 3, 1990) LexisNexis Headnotes HN4{Positive}
9. **Cited by:**  
*Symbol Technologies Inc. v. Opticon Inc.*, 17 U.S.P.Q.2d (BNA) 1737 (S.D.N.Y. May 3, 1990){Positive}  
17 U.S.P.Q.2d (BNA) 1737 *p.1741*
10. **Cited by:**  
*BOC Group, Inc. v. Novametrix Medical Systems, Inc.*, 11 U.S.P.Q.2d (BNA) 1853 (D. Conn. May 19, 1989){Warning}  
11 U.S.P.Q.2d (BNA) 1853 *p.1860*
11. **Cited by:**  
*Everpure, Inc. v. Cuno, Inc.*, 705 F. Supp. 725, 1988 U.S. Dist. LEXIS 15567 (D. Conn. 1988){Caution}  
705 F. Supp. 725 *p.726*
12. **Cited by:**  
*Lemelson v. Synergistics Research Corp.*, 669 F. Supp. 642, 1987 U.S. Dist. LEXIS 8509, 4 U.S.P.Q.2d (BNA) 1927 (S.D.N.Y. 1987) LexisNexis Headnotes HN6{Positive}  
669 F. Supp. 642 *p.649*
13. **Cited by:**  
*Augat, Inc. v. John Mezzalingua Associates, Inc.*, 642 F. Supp. 506, 1986 U.S. Dist. LEXIS 24221, 1 U.S.P.Q.2d (BNA) 1912 (N.D.N.Y 1986) LexisNexis Headnotes HN2, HN5{Positive}  
642 F. Supp. 506 *p.507*

## 3RD CIRCUIT - U.S. DISTRICT COURTS

14. **Followed by:**  
*Applied Concepts, Inc. v. Olympia Indus.*, 2001 U.S. Dist. LEXIS 25980 (W.D. Pa. May 17, 2001)  
LexisNexis Headnotes HN6{Analysis}  
2001 U.S. Dist. LEXIS 25980

15. **Cited by:**  
*Evident Corp. v. Church & Dwight Co.*, 1999 U.S. Dist. LEXIS 23231 (D.N.J. Aug. 26, 1999) LexisNexis  
Headnotes HN6{Positive}  
1999 U.S. Dist. LEXIS 23231

16. **Cited by:**  
*Motorola v. Interdigital Tech. Corp.*, 930 F. Supp. 952, 1996 U.S. Dist. LEXIS 8673 (D. Del. 1996)  
LexisNexis Headnotes HN6{Warning}  
930 F. Supp. 952 p.967

17. **Cited by:**  
*California Medical Prods. v. Tecnol Medical Prods.*, 921 F. Supp. 1219, 1995 U.S. Dist. LEXIS 20780 (D. Del. 1995){Positive}  
921 F. Supp. 1219 p.1252

18. **Cited by:**  
*Littelfuse, Inc. v. Bel Fuse, Inc.*, 21 U.S.P.Q.2d (BNA) 1293 (D.N.J. Apr. 26, 1991)  
21 U.S.P.Q.2d (BNA) 1293 p.1299

19. **Cited by:**  
*E. I. Du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 711 F. Supp. 1205, 1989 U.S. Dist. LEXIS 4528, 11 U.S.P.Q.2d (BNA) 1081 (D. Del. 1989) LexisNexis Headnotes HN5, HN6{Caution}  
711 F. Supp. 1205 p.1216

20. **Cited by:**  
*Johnson & Johnson Consumer Products, Inc. v. Ormco Corp.*, 1988 U.S. Dist. LEXIS 17529 (D. Del. Sept. 29, 1988) LexisNexis Headnotes HN5{Cited}

21. **Cited by:**  
*RCA Corp. v. Data General Corp.*, 701 F. Supp. 456, 1988 U.S. Dist. LEXIS 12244, 8 U.S.P.Q.2d (BNA) 1305 (D. Del. 1988) LexisNexis Headnotes HN4, HN6{Caution}

22. **Cited by:**  
*Phillips Petroleum Co. v. United States Steel Corp.*, 673 F. Supp. 1278, 1987 U.S. Dist. LEXIS 10296, 6 U.S.P.Q.2d (BNA) 1065 (D. Del. 1987) LexisNexis Headnotes HN4, HN6{Caution}  
673 F. Supp. 1278 p.1287  
673 F. Supp. 1278 p.1293

23. **Cited by:**  
*RCA Corp. v. Data Gen. Corp.*, 1986 U.S. Dist. LEXIS 18486 (D. Del. Oct. 27, 1986) LexisNexis

**Headnotes HN4**

24. **Cited by:**  
*Phillips Petroleum Co. v. United States Steel Corp.*, 616 F. Supp. 335, 1985 U.S. Dist. LEXIS 17548, 227 U.S.P.Q. (BNA) 164 (D. Del. 1985){Positive}  
 616 F. Supp. 335 p.338

25. **Cited by:**  
*Mannesmann Demag Corp. v. Engineered Metal Products Co.*, 605 F. Supp. 1362, 1985 U.S. Dist. LEXIS 22091, 226 U.S.P.Q. (BNA) 466 (D. Del. 1985) LexisNexis Headnotes HN2, HN3, HN4{Positive}  
 605 F. Supp. 1362 p.1371

26. **Cited by:**  
*In re Cole Patent Litigation*, 606 F. Supp. 45, 1984 U.S. Dist. LEXIS 14691, 225 U.S.P.Q. (BNA) 556 (D. Del. 1984) LexisNexis Headnotes HN3, HN4{Positive}

**4TH CIRCUIT - U.S. DISTRICT COURTS**

27. **Cited by:**  
*Leviton Mfg. Co. v. Universal Sec. Instruments, Inc.*, 304 F. Supp. 2d 726, 2004 U.S. Dist. LEXIS 2588 (D. Md. 2004) LexisNexis Headnotes HN4, HN6{Cited}  
 304 F. Supp. 2d 726 p.748

28. **Cited by:**  
*Glaxo, Inc. v. Novopharm, Ltd.*, 830 F. Supp. 871, 1993 U.S. Dist. LEXIS 13928, 29 U.S.P.Q.2d (BNA) 1126 (E.D.N.C. 1993) LexisNexis Headnotes HN6{Caution}  
 830 F. Supp. 871 p.874

29. **Cited by:**  
*Akzo N.V. v. E. I. Du Pont de Nemours & Co.*, 635 F. Supp. 1336, 1986 U.S. Dist. LEXIS 25155, 230 U.S.P.Q. (BNA) 263 (E.D. Va. 1986) LexisNexis Headnotes HN2, HN5{Positive}  
 635 F. Supp. 1336 p.1352

**5TH CIRCUIT - U.S. DISTRICT COURTS**

30. **Cited by:**  
*Northern Telecom, Inc. v. Datapoint Corp.*, 1988 U.S. Dist. LEXIS 16086, 9 U.S.P.Q.2d (BNA) 1577 (N.D. Tex. Aug. 31, 1988) LexisNexis Headnotes HN6{Warning}  
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31. **Cited by:**  
*B.W.B. Controls, Inc. v. U.S. Industries, Inc.*, 626 F. Supp. 1553, 1985 U.S. Dist. LEXIS 16500, 228 U.S.P.Q. (BNA) 799 (E.D. La. 1985) LexisNexis Headnotes HN4, HN6{Positive}  
 626 F. Supp. 1553 p.1568

**6TH CIRCUIT - U.S. DISTRICT COURTS**

32. **Cited by:**

*Weatherchem Corp. v. J.L. Clark*, 937 F. Supp. 1262, 1996 U.S. Dist. LEXIS 13450 (N.D. Ohio 1996)  
LexisNexis Headnotes HN4{Warning}  
937 F. Supp. 1262 p.1288

33. **Cited by:**  
*Wolstenholme v. Countrymark Coop.*, 1994 U.S. Dist. LEXIS 13506 (S.D. Ohio Apr. 19, 1994) LexisNexis Headnotes HN5, HN6{Analysis}
34. **Cited by:**  
*Continental Can Co. v. Monsanto Co.*, 1989 U.S. Dist. LEXIS 13417, 11 U.S.P.Q.2d (BNA) 1761 (S.D. Ohio Mar. 3, 1989) LexisNexis Headnotes HN6{Warning}  
11 U.S.P.Q.2d (BNA) 1761 p.1764
35. **Cited by:**  
*Trojan, Inc. v. Shat-R-Shield, Inc.*, 703 F. Supp. 609, 1988 U.S. Dist. LEXIS 15131, 8 U.S.P.Q.2d (BNA) 1391 (E.D. Ky. 1988) LexisNexis Headnotes HN6{Warning}  
703 F. Supp. 609 p.619
36. **Cited by:**  
*Carella v. Starlight Archery*, 595 F. Supp. 613, 1984 U.S. Dist. LEXIS 23245, 224 U.S.P.Q. (BNA) 879 (E.D. Mich. 1984) LexisNexis Headnotes HN4, HN5{Caution}  
595 F. Supp. 613 p.620

#### 7TH CIRCUIT - U.S. DISTRICT COURTS

37. **Cited by:**  
*Suncast Corp. v. Avon Plastics*, 1999 U.S. Dist. LEXIS 15222 (N.D. Ill. Sept. 21, 1999) LexisNexis Headnotes HN2  
1999 U.S. Dist. LEXIS 15222
38. **Followed by:**  
*Wilson Sporting Goods Co. v. Head Sports, Inc.*, 1998 U.S. Dist. LEXIS 10254 (N.D. Ill. July 2, 1998) LexisNexis Headnotes HN6{Warning}  
1998 U.S. Dist. LEXIS 10254
39. **Cited by:**  
*Avery Dennison Corp. v. UCB SA*, 1998 U.S. Dist. LEXIS 5053 (N.D. Ill. Apr. 10, 1998) LexisNexis Headnotes HN2{Analysis}  
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40. **Followed by:**  
*C & F Packing Co. v. IBP, Inc.*, 1998 U.S. Dist. LEXIS 4685 (N.D. Ill. Mar. 30, 1998) LexisNexis Headnotes HN2{Warning}  
1998 U.S. Dist. LEXIS 4685
41. **Cited by:**  
*Undersea Breathing Sys. v. Nitrox Techs.*, 985 F. Supp. 752, 1997 U.S. Dist. LEXIS 19065 (N.D. Ill. 1997)

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985 F. Supp. 752 p.773

42. **Cited by:**  
*Abbott Lab. v. Diamedix Corp.*, 969 F. Supp. 1064, 1997 U.S. Dist. LEXIS 7433, 43 U.S.P.Q.2d (BNA) 1448 (N.D. Ill. 1997) **LexisNexis Headnotes HN6{Caution}**  
969 F. Supp. 1064 p.1070

43. **Cited by:**  
*Endress + Hauser, Inc. v. Hawk Measurement Sys. Pty.*, 892 F. Supp. 1107, 1995 U.S. Dist. LEXIS 9010 (S.D. Ind. 1995) **LexisNexis Headnotes HN5, HN6{Caution}**  
892 F. Supp. 1107 p.1118  
892 F. Supp. 1107 p.1119

44. **Cited by:**  
*Great N. Corp. v. Henry Molded Prods.*, 864 F. Supp. 865, 1994 U.S. Dist. LEXIS 13885 (E.D. Wis. 1994) **LexisNexis Headnotes HN2{Analysis}**  
864 F. Supp. 865 p.870

45. **Cited by:**  
*Estate of Stoller v. Ford Motor Co.*, 784 F. Supp. 506, 1992 U.S. Dist. LEXIS 98, 23 U.S.P.Q.2d (BNA) 1263 (N.D. Ill. 1992) **LexisNexis Headnotes HN6{Analysis}**  
784 F. Supp. 506 p.517

46. **Cited by:**  
*Estate of Stoller v. Ford Motor Co.*, 711 F. Supp. 1451, 1989 U.S. Dist. LEXIS 4123, 12 U.S.P.Q.2d (BNA) 1197 (N.D. Ill. 1989) **LexisNexis Headnotes HN6{Warning}**  
711 F. Supp. 1451 p.1457

47. **Cited by:**  
*Whistler Corp. v. Dynascan Corp.*, 1989 U.S. Dist. LEXIS 1513 (N.D. Ill. Feb. 9, 1989) **LexisNexis Headnotes HN5{Positive}**

48. **Cited by:**  
*Consolidated Aluminum Corp. v. Foseco International, Ltd.*, 1988 U.S. Dist. LEXIS 16911, 10 U.S.P.Q.2d (BNA) 1143 (N.D. Ill. Oct. 31, 1988) **LexisNexis Headnotes HN6{Warning}**  
10 U.S.P.Q.2d (BNA) 1143 p.1164

49. **Cited by:**  
*FMC Corp. v. Manitowoc Co.*, 654 F. Supp. 915, 1987 U.S. Dist. LEXIS 1413, 1987-1 Trade Cas. (CCH) P67503, 2 U.S.P.Q.2d (BNA) 1969 (N.D. Ill. 1987) **LexisNexis Headnotes HN2, HN5{Positive}**  
654 F. Supp. 915 p.931

#### 8TH CIRCUIT - U.S. DISTRICT COURTS

50. **Cited by:**  
*AgriChem, Inc. v. Loveland Indus.*, 843 F. Supp. 520, 1994 U.S. Dist. LEXIS 1148, 31 U.S.P.Q.2d (BNA)

1282 (D. Minn. 1994) LexisNexis Headnotes HN6{Positive}  
843 F. Supp. 520 p.529

51. Cited by:  
*Minnesota Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 1991 U.S. Dist. LEXIS 14823 (D. Minn. Apr. 30, 1991) LexisNexis Headnotes HN5{Positive}

52. Cited by:  
*Minnesota Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 1991 U.S. Dist. LEXIS 11451 (D. Minn. Apr. 30, 1991) LexisNexis Headnotes HN5{Caution}

53. Cited by:  
*H.H. Robertson Co. v. Mac-Fab Products, Inc.*, 711 F. Supp. 970, 1988 U.S. Dist. LEXIS 16428 (E.D. Mo. 1988) LexisNexis Headnotes HN6{Cited}  
711 F. Supp. 970 p.975

#### 9TH CIRCUIT - U.S. DISTRICT COURTS

54. Cited by:  
*Asyst Techs., Inc. v. Empak, Inc.*, 2003 U.S. Dist. LEXIS 26418 (N.D. Cal. Oct. 8, 2003) LexisNexis Headnotes HN6{Warning}  
2003 U.S. Dist. LEXIS 26418

55. Cited by:  
*Digital Control Inc. v. McLaughlin Mfg. Co.*, 248 F. Supp. 2d 1019, 2003 U.S. Dist. LEXIS 8580 (W.D. Wash. 2003) LexisNexis Headnotes HN6{Analysis}  
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56. Cited by:  
*Telemac Corp. v. US/Intelicom, Inc.*, 185 F. Supp. 2d 1068, 2001 U.S. Dist. LEXIS 23532 (N.D. Cal. 2001) LexisNexis Headnotes HN6{Caution}  
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57. Cited by:  
*Bonanza Press, Inc. v. Douglas Press, Inc.*, 2000 U.S. Dist. LEXIS 21959 (W.D. Wash. Aug. 17, 2000) LexisNexis Headnotes HN2, HN5{Cited}  
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58. Cited by:  
*S3 Inc. v. nVidia Corp.*, 1999 U.S. Dist. LEXIS 23218 (N.D. Cal. Aug. 16, 1999) LexisNexis Headnotes HN6  
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59. Cited by:  
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60. Cited by:  
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61. Cited by:  
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62. Cited by:  
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63. Cited by:  
*Mark Industries v. Mobile Scaffolding Management & Sales, Inc.*, 1989 U.S. Dist. LEXIS 16267, 12 U.S.P.Q.2d (BNA) 1849 (C.D. Cal. Sept. 14, 1989) LexisNexis Headnotes HN6{Analysis}  
12 U.S.P.Q.2d (BNA) 1849 p.1858
64. Cited by:  
*Fortel Corp. v. Phone-Mate, Inc.*, 1987 U.S. Dist. LEXIS 10756, 5 U.S.P.Q.2d (BNA) 1081 (C.D. Cal. July 29, 1987){Warning}  
5 U.S.P.Q.2d (BNA) 1081 p.1084

#### 10TH CIRCUIT - U.S. DISTRICT COURTS

65. Cited by:  
*Micro Chem. v. Great Plains Chem. Co.*, 900 F. Supp. 1386, 1995 U.S. Dist. LEXIS 13115 (D. Colo. 1995)  
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66. Cited by:  
*Halliburton Co. v. Western Co. of North America*, 1989 U.S. Dist. LEXIS 16942, 10 U.S.P.Q.2d (BNA) 1973 (W.D. Okla. Jan. 27, 1989){Caution}  
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67. Cited by:  
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68. Cited by:  
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679 F. Supp. 1037 p.1056

#### 11TH CIRCUIT - U.S. DISTRICT COURTS

69. Cited by:  
*Default Proof Credit Card Sys. v. Home Depot U.S.A., Inc.*, 2004 U.S. Dist. LEXIS 28082 (S.D. Fla. Sept. 30, 2004) LexisNexis Headnotes HN6{Positive}  
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**D.C. CIRCUIT - U.S. DISTRICT COURT**

70. **Cited by:**  
*Sigma-Tau Industrie Farmaceutiche Riunite, S.P.A. v. Lonza, Ltd.*, 62 F. Supp. 2d 70, 1999 U.S. Dist. LEXIS 13888 (D.D.C. 1999) LexisNexis Headnotes HN5, HN6{Analysis}  
62 F. Supp. 2d 70 p.85

**FEDERAL CIRCUIT - COURT OF APPEALS**

71. **Cited by:**  
*Ecolocchem, Inc. v. Southern Cal. Edison Co.*, 1996 U.S. App. LEXIS 13330 (Fed. Cir. June 5, 1996) LexisNexis Headnotes HN6{Analysis}

72. **Cited by:**  
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31 U.S.P.Q.2d (BNA) 1451 p.1453

73. **Cited by:**  
*In re Weiss*, 1993 U.S. App. LEXIS 2517, 26 U.S.P.Q.2d (BNA) 1885 (Fed. Cir. Feb. 8, 1993) LexisNexis Headnotes HN6{Analysis}  
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74. **Cited by:**  
*In re Runion*, 1993 U.S. App. LEXIS 1945 (Fed. Cir. Feb. 1, 1993) LexisNexis Headnotes HN6

75. **Cited by:**  
*Symbol Technologies, Inc. v. Opticon, Inc.*, 935 F.2d 1569, 1991 U.S. App. LEXIS 12233, 19 U.S.P.Q.2d (BNA) 1241, 33 Fed. R. Evid. Serv. (CBC) 1381 (Fed. Cir. 1991) LexisNexis Headnotes HN5{Caution}  
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76. **Cited by:**  
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927 F.2d 1565 p.1576

77. **Cited by:**  
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78. **Cited by:**  
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79. **Cited by:**  
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806 F.2d 1565 p.1574

80. **Cited by:**  
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804 F.2d 135 p.138

81. **Cited by:**  
*Structural Rubber Products Co. v. Park Rubber Co.*, 749 F.2d 707, 1984 U.S. App. LEXIS 15223, 223 U.S.P.Q. (BNA) 1264 (Fed. Cir. 1984) LexisNexis Headnotes HN6{Caution}  
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82. **Cited by:**  
*Jervis B. Webb Co. v. Southern Systems, Inc.*, 742 F.2d 1388, 1984 U.S. App. LEXIS 15170, 222 U.S.P.Q. (BNA) 943 (Fed. Cir. 1984) LexisNexis Headnotes HN4{Caution}  
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83. **Cited by:**  
*Pennwalt Corp. v. Akzona, Inc.*, 740 F.2d 1573, 1984 U.S. App. LEXIS 15168, 222 U.S.P.Q. (BNA) 833 (Fed. Cir. 1984) LexisNexis Headnotes HN2, HN5{Caution}  
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84. **Cited by:**  
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## FEDERAL CLAIMS COURT

85. **Cited by:**  
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86. **Cited by:**  
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43 Fed. Cl. 172 p.181

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